



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Linda George,
Agency Services Representative 4
(PS3746K), Department of Human
Services

Examination Appeal

CSC Docket No. 2021-1817

ISSUED: DECEMBER 6, 2021 (ABR)

Linda George appeals the determination of the Division of Agency Services (Agency Services), which deemed her ineligible for the promotional examination for Agency Services Representative 4 (PS3746K), Department of Human Services (Human Services) on the basis that she was below the minimum requirements for experience.

The subject examination was announced with a closing date of August 21, 2020. The examination was open to employees who, in relevant part, possessed four years of experience providing information and support to customers or clients, responding to technical inquiries and/or complaints regarding products, services or programs, or collecting payments in a government office setting as of the closing date. To date, five eligibles have been admitted to the subject examination, which has not yet been administered.

On her application, the appellant indicated that she served as a provisional Agency Services Representative 4 from October 2017 to the closing date (August 2020). However, agency records indicated, in relevant part, that she served as a provisional Agency Services Representative 4 from January 2020 to the closing date and as an Agency Services Representative 4, Bilingual in Spanish and English from January 2018 to January 2020. Upon review of her application, Agency Services credited her with two years and eight months of applicable experience. However, because she did not indicate that she possessed an additional one year and four

months of applicable experience, she was deemed ineligible for the subject examination.

On appeal to the Civil Service Commission (Commission), the appellant argues that she should be deemed eligible for the subject examination, given that she was provisionally appointed to the Agency Services Representative 4 title series based upon her prior experience and because she possesses three years of experience performing the duties of an Agency Services Representative 4.

The appointing authority submits a letter of support, in which it proffers that the appellant was deemed eligible for the Agency Services 4 Bilingual Spanish/English (PS4776K), Human Services examination. In addition, it avers that at the time it provisionally appointed the appellant to the subject title, it believed she would be deemed eligible for the subject examination based upon her admission to the PS4776K examination. Further, the appointing authority contends that she possesses 8 years of applicable experience based upon her experience as a Technician MVC and as a provisional Agency Services Representative 4. Moreover, it maintains that its Division of Aging Services' Pharmacy Unit will experience hardship if it loses the appellant's specific technical expertise and has to train a new staff member in the intricacies of its program. Accordingly, it requests that the appellant be admitted to the subject examination based upon the totality of her experience. Alternatively, if that cannot occur, the appointing authority requests permission to make a regular appointment of the appellant to the title of Agency Services Representative 4 based on the results of the PS4776K examination, in which she passed the basic requirements of the examination but failed to pass the Bilingual Communication Abilities Test (BICAT).

CONCLUSION

N.J.A.C. 4A:4-2.6(a) provides that applicants must meet all requirements specified in a promotional examination announcement by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that prior to the announced application filing date, an applicant may amend a previously submitted application.

In the instant matter, Agency Services correctly determined that the appellant was ineligible for the subject examination. The appellant and the appointing authority assert that she possessed additional applicable experience based upon her experience as a Technician MVC. However, it is noted that she did not list this information in her application. Accordingly, the appellant's and the appointing authority's submission of this additional information on appeal is considered an amendment to her application for the subject examination, which, pursuant to *N.J.A.C.* 4A:4-2.1(f) cannot be considered after the closing date.

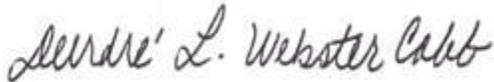
As to the contention that the appellant should be admitted to the subject examination based upon her admission to the PS4776K examination, it is noted that each examination is announced as a separate entity and eligibility for one examination has no bearing on another. *See In the Matter of Susan Jurden and Mark O'Sullivan* (MSB, decided May 19, 2004). Thus, the appellant's admission to a prior examination for a different title variant within the same title series does not provide her with an entitlement to eligibility for the subject examination or to a permanent appointment to the title of Agency Services Representative 4 at the present time. Accordingly, the appellant and the appointing authority have not met their burden of proof and there is no basis to disturb the decision of Agency Services.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 1ST DAY OF DECEMBER 2021



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